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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BRADBERRY, RUSSELL

Plaintiff,

v.

T-MOBILE, USA, INC.

Defendant.

Case No. C 06-06567 CW

**CORRECTED STIPULATION  
REGARDING BRIEFING DEADLINES  
AND CONTINUING CASE  
MANAGEMENT CONFERENCE DATE**

*Bradberry v. mBlox, Inc*

Case No. C 07-05298 CW

*Pishvae v. Verisign, Inc.*

Case No. C 07-03407 CW

*Jiran v. AT&T Mobility, LLC, et al.*

Case No. C 08-00013 CW

*Valdez v. M-Qube, Inc., et al.*

Case No. C 07-06496 CW

Parties to these actions have discussed and continue to discuss potential settlement. To permit further time for such discussions, IT IS HEREBY STIPULATED AND AGREED, by and between the Plaintiffs Bradberry, Pishvae, Jiran, and Valdez and Defendants, mBlox, Inc., VeriSign, Inc., m-Qube, Inc., and Mobile Messenger Americas, Inc. (the “Stipulating Parties”):

1. The parties in the above-captioned matters filed a stipulation regarding briefing deadlines and a continuance of the case management conference date on April 9, 2008 (the “April 9<sup>th</sup> Stipulation”).

CORRECTED STIPULATION REGARDING BRIEFING DEADLINES AND CMC  
CASE NOS. C 06-06567 CW,

C 07-05298 CW C 07-03407 CW,  
C 08-00013 CW, CW, C 07-06496 CW,

1           2.       The April 9<sup>th</sup> Stipulation was intended to govern only the following actions:  
2       Bradberry v. mBlox, Inc.; Pishvae v. Verisign, Inc.; Jiran v. AT&T Mobility, LLC; and  
3       Valdez v. m-Qube, Inc. (the “Non T-Mobile Actions”)

4           3.       The April 9<sup>th</sup> Stipulation was not intended to govern Bradberry v. T-Mobile  
5       USA, Inc. or to supersede the Joint Case Management Statement filed on April 4, 2008 in  
6       that action.

7           4.       The Stipulating Parties thus amend the April 9<sup>th</sup> Stipulation as follows and  
8       agree to suspend the following dates for the Non T-Mobile Actions: (a) all dates set  
9       forth in the Court’s February 15, 2008 Amended Case Management Scheduling Order for  
10      Reassigned Cases; and (b) all responsive pleading deadlines.

11          5.       The Parties further agree that the Case Management Conference in the Non  
12      T-Mobile Actions shall be continued to June 17, 2008 at 2:00 p.m. At that time, the  
13      Parties anticipate that if needed, they will be able to propose new dates for a Case  
14      Management Scheduling Order. The Parties will also address a proposed schedule for  
15      responsive pleading deadlines at that time.

16          6.       T-Mobile USA, Inc. has refused to give its consent to this corrected  
17      stipulation<sup>1</sup>. See T-Mobile e-mail attached hereto as Exhibit A.

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20               IT IS SO STIPULATED.  
21

22  
23               \_\_\_\_\_  
24               <sup>1</sup> In a mediation conducted by Judge Eugene Lynch (ret.) in early January, T-Mobile and  
25      Bradberry reached an agreement in principle to settle the case. That was over three months ago, and  
26      there is still no signed settlement agreement. Plaintiff Bradberry believes that while a stay in the Non T-  
27      Mobile actions would save judicial resources and give the parties time to see if a settlement can be  
28      reached, extending this to the T-Mobile case would only allow the delay in resolution to continue.

Dated: April 11, 2008

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/s/ Angel L. Tang  
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1 Dated: April 11, 2008

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18 Dated: April 11, 2008

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1 Dated: April 11, 2008

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18 Dated: April 11, 2008

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20 /s/ William M. Audet  
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22 Attorney for Plaintiff Babak Pishvaei

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3 /s/ John G. Jacobs

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14 I hereby attest that the concurrence in the filing of this document has been  
15 obtained by the above signatory indicated on the conformed signature (/s/) within this  
16 efiled document.

17 /s/ John G. Jacobs  
18 John G. Jacobs

CERTIFICATE OF SERVICE

John G. Jacobs, an attorney in the foregoing matter, certifies that he caused a copy of the Corrected Stipulation Regarding Briefing Deadlines and Continuing Case Management Conference Date, the attached Exhibit A and the attached proposed order to be sent to all counsel identified on the attached service list by U.S. mail on this 11<sup>th</sup> day of April, 2008 and by electronically filing a copy via the ECF system on this same date.

/s/ John G. Jacobs  
John G. Jacobs

SERVICE LIST

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EXHIBIT A

----- Forwarded message -----

From: Albin-Riley, Debra <DRiley@winston.com>

Date: Wed, Apr 9, 2008 at 9:03 PM

Subject: RE: Bradberry - amended stipulation

To: Myles McGuire <mpm1234@gmail.com>

Cc: "Jay Edelson, Esq." <jedelson@kamberedelson.com>, "John G. Jacobs"

<jgjacobs@thecobbslawfirm.com>, "Groves, Amanda L." <AGroves@winston.com>

Gentlemen,

As we discussed on the phone today, I do not see the necessity for a Case Management Conference in the Bradberry case next week given both how far we've proceeded in documenting the proposed settlement and the fact that the Case Management Conference in the related cases will now proceed in June. In reliance on the correctness of the Stipulation which I was asked to sign, I canceled my flight reservation and see a resumed Case Management Conference as an unnecessary expenditure of time and resources.

For those reasons, I will not sign the Corrected Stipulation. Should you choose to make an ex parte application, I request that you attach this e-mail as part of the record indicating our position on this issue.

As I said, if the Court orders the resumption of a Case Management Conference for this case only, independent of the other related cases, we will appear, but will not stipulate to do so as we deem it to be wholly unnecessary.

Cordially,

Debra

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CASE NOS. C 06-06567 CW,

C 07-05298 CW C 07-03407 CW,  
C 08-00013 CW, CW, C 07-06496 CW,

Based on the Corrected Stipulation of the Parties identified therein and for good cause shown, IT IS HEREBY ORDERED.

1. The Case Management Conference shall be continued to **June 17, 2008 at 2:00 p.m** for the following actions: Bradberry v. mBlox, Inc.; Pishvae v. Verisign, Inc.; Jiran v. AT&T Mobility, LLC; and Valdez v. m-Qube, Inc.. In the interim, all responsive pleading deadlines for such actions remain stayed. At the Case Management Conference on June 17, 2008, the Parties shall propose new dates for a Case Management Scheduling Order. The Parties will also address a proposed schedule for responsive pleading deadlines at that time.

2. The Case Management Conference scheduled for **April 15, 2008 at 2:00 p.m** for the Bradberry v. T-Mobile USA, Inc. action shall occur at that time. Pursuant to the Case Management Order dated March 10, 2008, all responsive pleading deadlines for such action are stayed until the Case Management Conference on April 15, 2008.

Dated: April \_\_, 2008

\_\_\_\_\_  
The Honorable Claudia Wilken  
United States District Court,  
Northern District of California